

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE: AMERICAN EXPRESS ANTI-  
STEERING RULES ANTITRUST LITIGATION

**ORDER**

**11-MD-02221 (NGG) (RER)**

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THE MARCUS CORPORATION

Plaintiffs,

**ORDER**

-against-

**13-CV-7355 (NGG) (RER)**

AMERICAN EXPRESS COMPANY, et al.,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

On February 28, 2014, the court appointed Professor C. Scott Hemphill to serve as technical advisor to the court as it evaluates the fairness of the proposed Class Settlement Agreement filed in the above-captioned actions. (See Order, Feb. 28, 2014 (Dkt. 344).)<sup>1</sup> The court further ordered that Professor Hemphill's fees would be borne equally by Class Plaintiffs and Defendants (*id.* at 4), and approved an hourly billing rate pursuant to which the advisor would be compensated (Order, April 24, 2014 (Dkt. 376) (under seal)). Professor Hemphill's report was filed in both sealed and redacted form on or about August 15, 2014 (Dkts. 518, 519), and his work for the court is now concluded.

Accordingly, the court has transmitted to counsel for Class Plaintiffs and Defendants the three monthly fee requests it has received from Professor Hemphill for services rendered in the months of June, July, and August of this year. Any responses to or comments on these fee requests by Class Plaintiffs or Defendants shall be transmitted to the court via facsimile

<sup>1</sup> All references to docket entries in this Order refer to the MDL 2221 docket.

transmission and U.S. mail, or suitable express delivery service, no later than September 19, 2014.

SO ORDERED.

Dated: Brooklyn, New York  
September 4, 2014

s/ Nicholas G. Garaufis  
NICHOLAS G. GARAUFIS  
United States District Judge